

REMARKS

Claims 1-109 are pending in the above-referenced application.

Claims 1-109 are rejected under 35 U.S.C. 103(a) as being unpatentable over a number of references. Applicants respectfully traverse these rejections. For example, consider claim 1, which recites at least one extraction module, one or more modification modules, an analytical device, and a computerized control and management system, "characterized in that the control and management system coordinates extraction of raw samples, modification as desired, introduction of fluids to the analytical device, and reporting of analytical results."

None of the cited references disclose or suggest such an advantageous combination of elements. For example, the Dahman, Marchante-Gayon, Rottmann, and Kingston references all disclose purely manual analytical techniques. The Viczian reference teaches an at best semi-automatic technique with no suggestion or teaching for the claimed automatic sample acquisition. The Dureault reference provides no teaching for the claimed "modification as desired" of samples. Finally, the Multala reference provides no teaching for the claimed modification modules, it being instead directed to the analysis of distillation column components. Accordingly, claim 1 is patentable over these references.

These same infirmities are present in the references with respect to the remaining claims as well. Accordingly, claims 2-109 are patentable over these references.

Applicants respectfully traverse the double patenting rejection with respect to the co-pending 10/094,394 application because of the substantial differences in claimed subject matter. For example, consider claim 1 of the '394 application, which recites a method of automated analysis of a plurality of analytes including the acts of providing a sample of the plurality of analytes, admixing a spike, creating ions, introducing the ions into a mass spectrometer, and delivering information to a microprocessor. Such a claim is starkly different from copending claim 1 of the present application. For example, there is no discussion/suggestion for a modification of the sample/spike mixture in claim 1 of the '394 application.

CONCLUSION

For the above reasons, pending Claims 1 – 109 are in condition for allowance and allowance of the application is hereby solicited. If the Examiner has any questions or concerns, a telephone call to the undersigned at (949) 752-7040 is welcomed and encouraged.

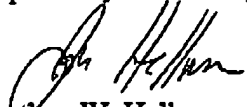
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Respectfully submitted,

  
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